

Remarks

First regarding the Examiner's objection to the Drawings, it appears that the Examiner overlooked reference character HB, which appears on Fig. 5 (the only view showing a hoist) to the upper right of the Figure. However, in view of the Examiner's rejection based on "enablement", additional reference characters are being added to Fig. 5, along with an additional sentence at page 5, line 12, so a substitute drawing sheet 6 is being submitted.

Enclosed are copies of a search page from Google.com, showing there were 10 pages (only the first page / 2 sheets was printed and included), including 99,800 'hits' for the term "engine hoist", which illustrates that such devices are indeed well known in the art. Counsel chose to reproduce 3 pages (color copies included) from the web site of NorthernTool.com which show a variety of such hoists available for purchase.

It is believed that this material demonstrates that the "minimum structure" (as mentioned by the Examiner) of an engine hoist is well known in the prior art.

Also, please note that at page 2, line 12 of applicant's specification it is pointed out that the adapter arm tube of his apparatus "can be accepted by the arm (e.g. boom) of a conventional engine floor hoist." The applicant does not consider the hoist itself as part of his invention. Furthermore, the Assignee of this application, Steck Manufacturing Co., Inc., of Dayton OH, does not (at least at this time) even manufacture or sell engine hoists, but only the engine removing/handling attachment which is the subject of this application. The original claims were carefully drafted so as not to include any hoist structure as an element of the claims.

It follows that applicant should not be required to limit his claims to include any detail of such a hoist. In Counsel's opinion the claims in fact are not limited to any engine hoist structure, but simply refer collaterally (and not by limitation) to the boom of an engine hoist on which the novel apparatus is attached. This is simply a statement of use of the invention.

The amendments suggested by the Examiner have been made in claims 1, 3, and 4, and the subject matter of claim 5 has been incorporated in claim 1. It is believed this places claims 1, 2, 3 & 4 in allowable condition. The first sentence of the Conclusion, Section 10, in the Office Action is not understood. Perhaps something was omitted when the Action was transcribed?

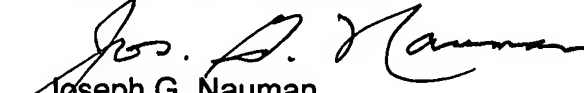
The enclosures included are

1. Replacement drawing sheet 5;
2. A copy of the Google search results for "engine hoist", 2 pages;

3. A copy of the Internet web site NorthernTool.com.3 pages.

It is believed this amendment places this application in allowable condition, and prompt favorable action is requested.

Respectfully submitted,


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12 July 2004

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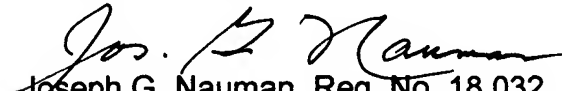
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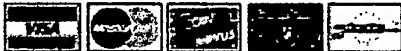
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